

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1179 Session of  
2011INTRODUCED BY SOLOBAY, FONTANA, BROWNE, FERLO AND WASHINGTON,  
JUNE 23, 2011

SENATOR RAFFERTY, TRANSPORTATION, AS AMENDED, OCTOBER 18, 2011

## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for speed timing devices.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Section 3368(d) of Title 75 of the Pennsylvania  
6 Consolidated Statutes is amended AND THE SECTION IS AMENDED BY  
7 ADDING A SUBSECTION to read:

8 § 3368. Speed timing devices.

9 \* \* \*

10 (d) Classification, approval and testing of mechanical,  
11 electrical and electronic devices.--The department may, by  
12 regulation, classify specific devices as being mechanical,  
13 electrical or electronic. All mechanical, electrical or  
14 electronic devices shall be of a type approved by the  
15 department, which shall appoint stations for calibrating and  
16 testing the devices and may prescribe regulations as to the  
17 manner in which calibrations and tests shall be made. The  
18 certification and calibration of electronic devices under

subsection (c) (3) shall also include the certification and calibration of all equipment, timing strips and other devices which are actually used with the particular electronic device being certified and calibrated. Electronic devices commonly referred to as electronic speed meters or radar shall have been tested for accuracy within a period of one year prior to the alleged violation. ~~Other~~ EXCEPT AS PROVIDED UNDER SUBSECTION (D.1), OTHER devices shall have been tested for accuracy within a period of [60 days] ~~six months~~ 180 DAYS prior to the alleged violation. A certificate from the station showing that the calibration and test were made within the required period and that the device was accurate shall be competent and prima facie evidence of those facts in every proceeding in which a violation of this title is charged.

(D.1) DEEMED TESTED.--ANY MECHANICAL, ELECTRICAL OR ELECTRONIC DEVICE, OTHER THAN ELECTRONIC DEVICES COMMONLY REFERRED TO AS ELECTRONIC SPEED METERS OR RADAR, WHICH HAVE BEEN TESTED FOR ACCURACY WITHIN 60 DAYS PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION, SHALL BE DEEMED TESTED FOR A PERIOD NOT TO EXCEED 180 DAYS FROM THE DATE OF THEIR TESTING. THEREAFTER, THE DEVICES SHALL BE TESTED IN ACCORDANCE WITH SUBSECTION (D).

\* \* \*

Section 2. This act shall take effect ~~in 90 days~~. AS FOLLOWS:

(1) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

(2) THE ADDITION OF 75 PA.C.S. § 3368(D.1) SHALL TAKE EFFECT IN 120 DAYS.

(3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 180 DAYS.